

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 22-cr-20175  
Honorable Linda V. Parker

SHEMAR STEPHENS,

Defendant.

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**OPINION AND ORDER DENYING DEFENDANT’S “MOTION”**

On February 15, 2023, Defendant Shemar Stephens pleaded guilty pursuant to a Rule 11 Plea Agreement to one count of being a felon in possession of a firearm in violation of 18 U.S.C. § 922(g)(1). (ECF No. 26.) This Court sentenced Stephens to a term of imprisonment of 50 months on May 16, 2023. More recently, Stephens sent a letter to the Court, which the Court construes as a motion to challenge his conviction on Second Amendment grounds. (ECF No. 40.)

Even if the Court misconstrues the basis for Stephens’ motion, it must be denied because he waived any right to challenge his conviction on any grounds in his Rule 11 Plea Agreement. (ECF No. 26 at PageID. 81.) Stephens retained the right to seek collateral review under 28 U.S.C. § 2255, but only to raise claims alleging ineffective assistance of counsel or prosecutorial misconduct. (*Id.* at

PageID. 81-82.) His letter, even when liberally construed, does not raise either ground for relief.

Accordingly,

**IT IS ORDERED** that Defendant Shemar Stephens’ “motion” (ECF No. 40) is **DENIED**.

s/ Linda V. Parker  
LINDA V. PARKER  
U.S. DISTRICT JUDGE

Dated: April 9, 2025

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, April 9, 2025, by electronic and/or U.S. First Class mail.

s/Aaron Flanigan  
Case Manager